

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**DEXON COMPUTER, INC.**

**v.**

**CISCO SYSTEMS, INC. and CDW  
CORPORATION**

§  
§  
§  
§  
§  
§

**Case No. 5:22-cv-53-RWS-JBB**

---

**ORDER**

---

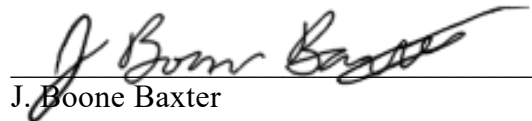
The Court issues the following *sua sponte*. Contemporaneously with this Order, the undersigned United States Magistrate Judge is entering a Report and Recommendation on (1) Defendant CDW Corporation’s Motion to Dismiss Counts II and VI of the Amended Complaint (Dkt. No. 189); (2) Defendant Cisco Systems, Inc.’s Federal Rule of Civil Procedure 56 Motion for Summary Judgment as to All Claims (Dkt. No. 326); and (3) Defendant CDW Corporation’s Motion for Summary Judgment (Dkt. No. 331). Because the Court cites allegations from briefing which the parties have filed under seal, the Court has sealed the Report and Recommendation.

A district court must use caution when exercising its discretion to place records under seal because there is a “strong presumption that all trial proceedings should be subject to scrutiny by the public.” *United States v. Holy Land Found. for Relief & Dev.*, 624 F.3d 685, 690 (5th Cir. 2010); *see also Federal Sav. & Loan Ins. Corp. v. Blain*, 808 F.2d 395, 399 (5th Cir. 1987) (“The district court’s discretion to seal the record of judicial proceedings is to be exercised charily”). Even where no party opposes sealing, the burden is on the movant to establish the presumption in favor of public records is overcome.

Given this presumption, the Court will unseal the Report and Recommendation on Defendants’ dispositive motions. Before doing so, however, the Court will allow the parties

fourteen (14) days from the date of entry of this Order in which to submit a proposed publicly-available redacted version of the Report and Recommendation. The parties shall redact only those portions of the Report with respect to which the parties have a legitimate and overriding business interest in maintaining confidentiality and shall be prepared to submit a particularized showing regarding those redactions in the event the Court finds it necessary.

SIGNED this the 30th day of December, 2023.

  
\_\_\_\_\_  
J. Boone Baxter  
UNITED STATES MAGISTRATE JUDGE